

The action of the straps applied in this way is obvious, and its superiority to that of the other plan need hardly be insisted on.

We have not dwelt upon these matters of practical interest in a fault-finding spirit. They are certainly very venial errors in a work which is devoted rather to the teaching of dressings and minor clinical duties than the elaborate discussion of the history or principles of the management of so serious and varied a class of injuries as fractures. It is because of the opportunity, and especially because of the well-known general accuracy, and consequently high authority, of the accomplished author of this popular volume, that we have taken the liberty to say so much about a comparatively trivial matter.

The book is, as usual with the publishers, very neatly arranged and printed, and will undoubtedly be sought after as a convenient and extremely desirable every-day companion. As such we cordially recommend it to all classes of medical readers.

E. H.

ART. XVIII.—*A Treatise on Medical Jurisprudence.* By FRANCIS WHARTON, author of *A Treatise on American Criminal Law*, &c. &c., and MORETON STILLÉ, M. D., Lecturer on the Principles and Practice of Medicine in the Philadelphia Association for Medical Instruction. Philadelphia: Kay & Brother, 1855. 8vo. pp. 815.

It is remarkable that the two original productions which were for many years distinguished, along with a few others, as having done the greatest honour to American medical literature, were those of Beck and Ray on Medical Jurisprudence. Most deservedly were they, and are they still, esteemed at home and abroad; yet, until lately, one might suppose their authors to be almost alone among their countrymen in the right appreciation of their subject, so little has it seemed to occupy the professional mind either in our medical schools or courts of justice. We trust, however, that the influence of these able pioneers, and that of their Old-World predecessors and contemporaries, have produced a more rational state of feeling in this matter. At all events, the accumulating lessons of an experience which is often decisive, though rarely pleasant in its working, bid fair to finish what Beck, Ray, and their coadjutors long ago began. They have at length opened the eyes of our community to something like a proper understanding of its actual necessities in regard to medico-legal investigations. The successive editions of the native works referred to, those also of Taylor and of Guy, and the appearance of this peculiarly interesting effort of Wharton and Stillé, indicate most decidedly the steady progress of medical jurisprudence as a cultivated science in this country.

We cannot yet point, as we ought, to our official experts and to our regular professorships of this still neglected branch of scientific training; but the manifestly increased attention to the study of legal medicine is a gratifying advance upon the once prevalent indifference to the commonest demands of justice in the use of medical evidence. Although, with the two signal exceptions already noticed, we cannot boast of our Orillas, Caspers, or Taylors, not to instance other equally honoured names, we may, nevertheless, be assured by the growing demand for their works that the authority and worth of these masters is now acknowledged by hundreds who formerly ignored their very existence. There is good reason, therefore, in these more suspicious times, to anticipate for our present authors the privilege of a prompt and earnest reading among many who, a few years ago, might have laid their offering on the shelf almost without remark.

We sincerely hope that the promised reading may result in similar honours. This reward appears to us to have been richly earned in many ways, but we especially desire and expect the volume of Wharton and Stillé to attain a rapid and entire success, because the rare combination of two kinds of learning and experience needed for such a book, which it so happily affords, must render it unusually attractive to both classes of readers, and hence a most effective

means of increasing the general estimation of its subject. There is no danger of encountering in its pages a merely medical picture of the law, or a merely legal one of medicine, or a perplexing compound of the two together, such as medical jurisprudence in theory is sometimes superficially supposed to be. They give us the result of the joint labours of an able and conscientious member of each profession, both of whom were singularly well prepared, by mental qualifications and previous habits of study, for their peculiar enterprise. Thus fitted for the undertaking, they have mutually aided and directed each other in effecting a co-ordination of the various topics—a sort of stereoscopic view—which is extremely well adapted not only to the wants and purposes of the lawyer and physician, but to the comprehension of the recent graduate or still more inexperienced student.

On this, however, as well as of their other aims, and the distribution of their duties in the composition of the several portions of their task, they may better speak for themselves in the preface of Mr. Wharton, from which we quote the following paragraphs:—

“The two points which were mainly before the authors of the following treatise when they entered upon its preparation, and the hope of reaching which formed their chief inducement in approaching a topic which has already been in other respects so ably and fully discussed elsewhere, were first, the incorporation in its pages of the results of late continental, and particularly French and German research; and secondly, the bringing together stereoscopically—if the metaphor can be permitted—of the Legal and Medical points of vision, so that the information required by each profession might be collected and viewed at the same time and within the same compass. It was felt that in the usual range of medico-legal exposition there was a great deal that, though interesting to the medical man, is unnecessary to the legal practitioner; and, on the other hand, it is equally clear that there are many points upon which the latter needs information, which the former, either from inadvertence or what would be to him their extreme simplicity, may forbear to touch. The converse also is true, viz: that the legal writer who undertakes such a work, except in subordination to medical advice, may exhibit very satisfactorily the necessities of legal practice, but will fail to supply the information by which these necessities can be met.

“These two points, viz: the absorption of recent medico-legal research in France and Germany, and the union of the medical and legal stand-points, it was here hoped to reach not so much by a concurrent authorship of each page, as by a general preliminary comparison of views and adjustment of material by the two writers by whom the task was undertaken, followed up by a division of the subject-matter between them in subordination to the plan previously agreed upon. In pursuance of this scheme, the second, third, fourth, and fifth books—viz: those on the *Fœtus* and *New-born Child*, on *Sexual Relations*, on *Identity*, and on the *Causes of Death*—were assigned to Dr. Stillé, with the exception of those sections in the two former which concern the legal relations of gestation, abortion, and rape; while to the present writer fell the preparation of the first and sixth books, embracing *Mental Unsoundness* and the *Legal Relations of Homicide*, together with the general disquisition on *Indicatory Evidence* with which the latter book concludes.”

The first book, which, as the extract above informs us, is wholly due to Mr. Wharton, was issued separately in July last, and has already attained a high reputation. It contains, in the course of two chapters and two hundred and twenty-eight pages, an elaborate and instructive summary exposition, first of “*Mental Soundness and its Legal Relations*,” and secondly of “*Mental Unsoundness Psychologically considered*,” the two chapters being severally devoted to the discussion of these two leading topics. Each chapter is preceded by an analytical table of contents, which is admirably conceived and arranged. Similar analytical arguments are prefixed to the chapters on each of the other strictly legal divisions of the work. They are particularly valuable for guidance as well as reference, and will doubtless be regarded as among the most attractive features of the whole volume. The limits of this notice will not allow us to dwell as we should wish upon Mr. Wharton's very able and interesting

view of the medical and psychological jurisprudence of insanity. It might easily, if not advantageously, be made to occupy in its consideration much more space than can be here appropriated to their entire publication. In no other way, indeed, could even tolerable justice be done to its cogent and lucid reasoning, its great erudition, its copious and unequalled array of illustrations and precedents, and its many important and often unusually liberal conclusions.

We find it the harder to resist the temptation to indulge in a more particular discussion of these opening chapters of Mr. Wharton, because a rather peculiar course of experience, which circumstances have thrown within our reach, has perhaps unreasonably interested us in the various questions mooted by him in them, while it has made us personally familiar with some of the new cases cited by him, and with somewhat of the course of reading which he has followed so assiduously and collated with so much judgment and skill. Notwithstanding all that has been written on it, no subject in the whole range of medico-legal inquiry demands more serious attention; none, certainly, is so universally embarrassing as this of mental aberration. We are honestly glad, therefore, without agreeing to all his medical propositions, to believe that we have met with no writer who has managed this difficult theme, in the same compass, with greater clearness, fulness, and more practical good sense. His tract is especially rich and accurate in its citations of legal precedents, and fair in its estimate of the nature and weight of medical opinions. On these accounts we are inclined to regard it as the most valuable and conclusive paper yet published on the subject.

No opinion as to the law and the legal aspects of the first and other sections for which Mr. Wharton is responsible can be expected from a medical reviewer. We may say, however, that in seeking instruction from his pages as a medical inquirer, we have been most agreeably impressed, in the succeeding portions of his essay, with the same precision and conciseness of expression, ample fulness of illustration and example, especially from French and German sources, and the same careful discrimination and methodical arrangement which render the first portion so useful and engaging to all intelligent readers. The only material drawbacks that we know of in the book are an occasional tendency to give what may be thought undue prominence and space to reports of certain cases, and the introduction, although but for the sake of illustration, of an imaginary case, in a long passage from a well known work of fiction. It would be easy, without resorting to the powerful but misplaced myth of the eccentric poet here referred to, to enrich our notice with selections from many characteristic and stirring passages with which his pages, like those of every first-rate treatise of the kind, are filled; but we must hasten to the no less sterling material furnished by his lamented associate in the strictly medical portion of the volume.

Five books were assigned to Dr. Stillé. The first of these, book second, is divided into six chapters, which treat, in regular order, of Signs of Pregnancy, Delivery, Duration of Pregnancy, Superfoetation, Abortion or Fœticide, and Infanticide. The third book is occupied, in three chapters, severally, with Doubtful Sex, Sexual Disability, and Rape. Next comes book fourth, in one chapter, devoted to the Identification of the Living or Dead. Book fifth completes the series with the discussion of the Questions relating to the Cause of Death, in two parts. The first of these parts is divided into numerous chapters, which treat of poisoning and the various poisons under the customary heads. The second part concludes the course with the history of the other Forms of Violent Death, such as wounds, burns, spontaneous combustion, heat, sunstroke, lightning, cold, starvation, suffocation, strangulation, hanging, and drowning; and lastly, with a chapter on Medico-Legal Examinations, including a new and excellent summary of the natural aspect of the internal organs.

No one who reads these pages of Dr. Stillé with the slightest care can fail to perceive that the promise of the preface is in all respects fulfilled, and, in regard to French and German cases, even more effectively than by his accomplished collaborator. The nature of his subject, and the means at his command, enabled him to draw abundantly from those rich and comparatively

inaccessible mines of scientific wealth; and he has evidently availed himself of the opportunity to an extent and in a manner which not only gives freshness and new vigour to his work, but greatly increases its actual value to every English reader. We do not see, however, that in thus gathering and digesting, with remarkable success and at great expense of time and trouble, a large amount of the most varied and authoritative continental records of experience, he has made any sacrifice of important British or American materials. Recent and old cases and decisions of both countries are freely used and introduced. In short, the whole course of inquiry on the different topics is laid before us clearly, briefly, and without pretension, yet with a logical precision and elegance of language, a discriminating cautiousness and intelligent firmness of opinion, which will at once secure respect for it as a standard authority, and lead to the adoption of the work as one of the most absorbing of its class.

It would afford us a melancholy pleasure, had we room for it, to show, as could easily be done, by a few specimens of his style and mode of handling his topics, that we have not been extravagant in attempting to do justice to the merits of the first and last great work of our departed friend. We cannot and need not detain our readers with the recital of the only too vain regrets that the thought of this crowning effort of his short career must ever rouse within us for the irreparable days and nights of life-destroying toil and utter forgetfulness of self, which the exhausting development of that long but luminous and enduring labor of love has cost. All who may enjoy and profit by its now sadly cherished fruits must feel a share of disappointment at the untimely loss to science of one whose very first step was one of such high promise; but his professional associates and the few confidants in his favourite aspirations and pursuits alone can realize the breadth and depth of the misfortune. Among these none was more entitled or better able to express the common sentiment, and to put it permanently on record, than his surviving colleague in the treatise on medical jurisprudence.

We are glad to have the opportunity to affirm, with all our hearts and to the full extent of our knowledge, the sincerely just and feeling tribute of Mr. Wharton presented in the following extracts from his preface:—

“Of the manner in which was performed at least a portion of the task whose history is now given, it may not be unsuitable for the writer who now survives to speak. It was to the preparation of this portion that the last year of Dr. Stillé's short but distinguished professional career was given. It was a year of patient and severe research, marked, to an extent of which the annals of science afford few parallels, by the most self-denying industry, as well as by a rigorous and almost fastidious conscientiousness in the pursuit not only of truth, but of the most appropriate terms by which that truth could be expressed. And the labour was not one which derived any portion of its severity from the want of prior preparation. Dr. Stillé had not only enjoyed great opportunities for literary and professional culture, but what is rarer, these opportunities were faithfully improved. The liberalizing influences of European culture, as well as the simpler discipline of home instruction, passed not over him in vain. The schools of Europe received from him in the prime of his early manhood the same single and conscientious attention as the schools of Philadelphia in his youth. He found the pleasures of travel and the desultory influences of foreign habits of no more avail in drawing him from a laborious personal attendance on the hospitals—those great repositories of disease which, in the development of God's wonderful providence, are made the arsenals which supply the weapons by which the maladies that necessitate them are to be combated—than he found the more primitive habits and more limited associations of his native city. The great continental tongues, in their scientific as well as their popular relations, were mastered by him to a completeness of which, among persons of his age, we have rare examples. Few men, even among the most mature, have gone to the grave so richly fraught with the literature of a profession, which to him was a philosophy as well as an art. And few, at so early an age, have gone to the grave with faculties under more complete moral discipline. To one of his most remarkable qualities—that delicate and yet modest firmness of perception which, unwarped on the one side by pride in his

own opinion, or on the other by undue deference to that of others, enabled him, after the most difficult and subtle research, not only to reach but to express the truth—no one has had better cause to testify than the present writer. The work which these lines now close was one which brought both of those who engaged in it into the most intimate and affectionate personal intercourse for many months; and the one who survives can now scarcely look back upon the preparation of a single page without having additional cause to remember and record those high mental qualities and culture, whose value in the present case was only increased by the gentleness, the refinement, and the fine sense of personal honour with which they were associated.

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"Perhaps, indeed, even in a profession whose history has been so marked by acts of zeal and disinterestedness, when we take into consideration the fact that Dr. Stillé was impelled by no other motive than that of professional love and enterprise in the severe course of study and self-sacrifice in which he was engaged, there will be found few cases where these qualities have been so eminently exhibited as the present. Possessed of an ample fortune, he was one of those uncommon instances in which the most arduous and protracted courses of preliminary trial are gone through with under the calm and equal effect of a will which is impelled neither by necessity nor the desire of present applause, but by the faith in a distant future, in which the result will be none the less precious because it is the longer delayed.

"But this future was one to which Dr. Stillé—and to the great loss of popular as well as of medical science—was only in part to arrive. Early in 1855, he received the appointment of Lecturer on the Practice of Medicine in the Philadelphia Association for Medical Instruction, and at the end of June closed the first portion of a course of lectures of which it is not too much to say that they were received with unmixed satisfaction by the class to whom they were addressed, and the colleagues with whom he was associated. In the first week of July, he sent from his office the last of the manuscript of that portion of the following pages which fell under his charge, and almost immediately afterwards was stricken down by a disease which found him with strength impaired by the exhausting studies of the preceding winter. On August 20, 1855, he died, at Saratoga, almost at the moment when the press was issuing the last sheets of a work which contains so much worthy of being erected as a monument in which his professional brethren will recognize the impress of his high intellectual gifts and culture." Pp. iv., v., vi. of Preface. E. H.

ART. XIX.—*Clinical Lectures on Paralysis, Diseases of the Brain, and other Affections of the Nervous System.* By ROBERT BENTLEY TODD, M. D., F. R. S., Physician to King's College Hospital. 8vo. pp. 311. Philadelphia, 1855: Lindsay & Blakiston.

THIS is a most admirable book. The lectures it comprises were those delivered by the author, on various occasions, during the last ten years, in the theatre of King's College Hospital, London. They present with great lucidity and accuracy an exposition of the pathology and therapeutics of several of the most frequent of the affections of the nervous system. Dr. Todd, whether in presenting the history and causation of the diseases of which he treats, or their proper management, with a view to their abatement or cure, discards all hypothetical speculation, all conjecture and mysticism, and confines himself to known facts and observations and well-ascertained results, so that the reader cannot fail to rise from the perusal of these lectures with clear and practical views, better adapted to lead him aright at the bedside of his patient than such as he might perchance attempt to acquire from treatises of a more learned and imposing character.

The disease most fully treated of in the present work is paralysis, with the